

Keith Gutstein  
[kgutstein@kaufmandolowich.com](mailto:kgutstein@kaufmandolowich.com)

Telephone: 516.681.1100

[www.kaufmandolowich.com](http://www.kaufmandolowich.com)

Aaron Solomon  
[asolomon@kaufmandolowich.com](mailto:asolomon@kaufmandolowich.com)

July 14, 2025

**VIA ECF**

Chief Judge Margo K. Brodie  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Lewis v. Children of Promise Wellness Group LLC*; E.D.N.Y No.: 1:25-cv-01811-(MKB)

Dear Judge Brodie:

As you know, we represent Defendant Children of Promise Wellness Group LLC, (“Defendant”), in the above-referenced matter. We write, jointly with counsel for Plaintiff Tracey Lewis (“Plaintiff”), to respond to the Court’s Order directing the Parties to meet and confer to discuss a briefing schedule for Defendant’s Motion to Dismiss the Complaint pursuant to Fed. R. Civ. P. 12(b)(6).

As the Court may recall, Plaintiff responded to Defendant’s pre-motion letter by indicating that his opposition to Defendant’s Motion to Dismiss will seek permission to re-plead.

We met and conferred with Plaintiff’s counsel to discuss a proposed briefing schedule. During that conversation, the Parties also discussed an alternate method of addressing the sufficiency of the Complaint. Adjudicating the Motion to Dismiss now will certainly require the dedication of resources by the Court and the Parties. If the Court resolves Defendant’s Motion to Dismiss by giving Plaintiff an opportunity to re-plead, then Defendants will need to respond to Plaintiff’s amended pleading by filing a second Motion to Dismiss if the revised pleading is insufficient.

As such, to promote efficiency, and streamline Motion Practice, the Parties respectfully request that Plaintiff be afforded his opportunity to re-plead now by filing an Amended Complaint by July 31, 2025 and that Defendants shall respond to Plaintiff’s Amended Complaint by August 14, 2025. This is the first application for the relief requested herein.

We thank the Court for its continued courtesies.

Respectfully submitted,  
Kaufman Dolowich LLC

  
Aaron N. Solomon

cc: All counsel of record (via ECF)